## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA

SETH S. SMILEY,

Plaintiff,

CIVIL DIVISION

ν.

CASE NO. 09-1671

CONSOLIDATED RAIL CORPORATION: and NORFOLK SOUTHERN RAILWAY

COMPANY,

Defendants.

## **ORDER**

IT IS HEREBY ORDERED that any claims in the Plaintiff's Complaint relating to injuries to Plaintiff's back only are hereby dismissed, with prejudice.